

[Calendar No., 97.]

57TH CONGRESS,
1ST SESSION.

S. 569.

[Report No. 82.]

IN THE SENATE OF THE UNITED STATES.

DECEMBER 4, 1901.

Mr. NELSON introduced the following bill; which was read twice and referred to the Committee on Commerce.

JANUARY 9, 1902.

Reported by Mr. NELSON, with amendments.

[Omit the part struck through and insert the part printed in italics.]

A BILL

To establish the Department of Commerce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That there shall be at the seat of government an executive
4 department to be known as the Department of Commerce, and
5 a secretary of commerce who shall be the head thereof, who
6 shall be appointed by the President, by and with the advice
7 and consent of the Senate, who shall receive a salary of eight
8 thousand dollars per annum, and whose term and tenure of
9 office shall be like that of the heads of the other Executive
10 Departments; and section one hundred and fifty-eight of the
11 Revised Statutes is hereby amended to include such depart-
12 ment, and the provisions of title four of the Revised Statutes,

1 including all amendments thereto, are hereby made applicable
2 to said department.

3 SEC. 2. That there shall be in said department an as-
4 sistant secretary of commerce, to be appointed by the Presi-
5 dent, by and with the advice and consent of the Senate, who
6 shall receive a salary of four thousand dollars a year. He
7 shall perform such duties as shall be prescribed by the secre-
8 tary or required by law. There shall also be one chief clerk
9 and such other clerical assistants as may from time to time
10 be authorized by Congress.

11 SEC. 3. That it shall be the province and duty of said
12 department to foster, promote, and develop the foreign and
13 domestic commerce, the mining, manufacturing, shipping, and
14 fishery industries, the labor interests, and the transportation
15 facilities of the United States; and to this end it shall be
16 vested with jurisdiction and control of the departments, bu-
17 reaus, offices, and branches of the public service hereinafter
18 specified, and with such other powers and duties as may be
19 prescribed by law.

20 SEC. 4. That the following-named offices, bureaus, divi-
21 sions, and branches of the public service, now and heretofore
22 under the jurisdiction of the Department of the Treasury, and
23 all that pertains to the same, known as the Life-Saving Serv-
24 ice, the Light-House Board, and the Light-House Service, the
25 Marine-Hospital Service, the Steamboat-Inspection Service,

1 the Bureau of Navigation and the United States Shipping
2 Commissioners, the Bureau of Immigration, the Bureau of
3 Statistics, and the United States Coast and Geodetic Survey,
4 be, and the same hereby are, transferred from the Department
5 of the Treasury to the department of commerce, and the
6 same shall hereafter remain under the jurisdiction and super-
7 vision of the last-named department; and that the office of
8 Commissioner of Railroads, the Census Office, the Patent
9 Office, and all that pertains to the same, be, and the same
10 hereby are, transferred from the Department of the Interior
11 to the department of commerce, to remain henceforth
12 under the jurisdiction of the latter; that the Department
13 of Labor, and the office of Commissioner of Fish and
14 Fisheries, and all that pertains to the same, be, and the
15 same hereby are, placed under the jurisdiction and made a
16 part of the department of commerce; that the Bureau of
17 Foreign Commerce, now in the Department of State, be, and
18 the same hereby is, transferred to the department of com-
19 merce and consolidated with and made a part of the Bureau
20 of Statistics, hereinbefore transferred from the Department of
21 the Treasury to the department of commerce, and the chief
22 of said Bureau of Foreign Commerce shall be the assistant
23 chief of the said Bureau of Statistics; and it shall be the
24 duty of said Bureau, under the direction of the secretary,
25 in addition to the duties now prescribed by law, to gather,

1 compile, classify, and publish statistical information showing
2 the condition of the foreign and domestic commerce, of the
3 mining, manufacturing, shipping, and fishery industries, and
4 of the transportation facilities of the United States.

5 That the official records and papers now on file in and
6 relating to the business of any bureau, office, department, or
7 branch of the public service in this Act transferred to the
8 department of commerce, together with the furniture now
9 in use in such bureau, office, department, or branch of the
10 public service, shall be, and hereby is, transferred to the
11 department of commerce.

12 SEC. 5. That there shall be in the department of com-
13 merce a bureau to be called the bureau of manufactures, and
14 a chief of said bureau, who shall be appointed by the Presi-
15 dent, by and with the advice and consent of the Senate, and
16 who shall receive a salary of three thousand dollars per
17 annum. There shall also be in said bureau one chief clerk
18 and such other clerical assistants as may from time to time
19 be authorized by Congress. It shall be the province and
20 duty of said bureau, under the direction of the Secretary
21 to foster, promote, and develop the various manufacturing
22 industries of the United States, and markets for the same
23 at home and abroad, domestic and foreign, by gathering,
24 compiling, publishing, and supplying all available and
25 useful information concerning such industries and such

1 markets, and by such other methods and means as may be
2 prescribed by the secretary or provided by law. And all
3 consular officers of the United States, including consul-
4 generals, consuls, and commercial agents, are hereby required,
5 and it is made a part of their duty, under the direction of
6 the secretary of commerce, to gather and compile, from time
7 to time, useful and material information and statistics in
8 respect to the commerce, industries, and markets of the
9 countries and places to which such consular officers are
10 accredited, and to send reports quarterly, or oftener if
11 required, of the information and statistics thus gathered and
12 compiled, to the secretary of the department of commerce.

13 SEC. 6. That the office of Director of the Geological
14 Survey, and all that pertains to the same, is hereby trans-
15 ferred from the Department of the Interior to the department
16 of commerce; and there is hereby established in the depart-
17 ment of commerce a bureau to be known as the Bureau of
18 Mining and Geological Survey, of which the Director of the
19 Geological Survey shall be the head; said bureau shall have
20 charge of the Geological Survey, and it shall also be its prov-
21 ince and duty to foster, promote, and develop the mining in-
22 dustries of the United States by gathering, compiling, and
23 disseminating practical and useful information concerning the
24 mineral resources and mining industries of the United States,

1 and by such other methods as may be directed by the secre-
2 tary or prescribed by law.

3 SEC. 7. That the jurisdiction, supervision, and control now
4 possessed and exercised by the Department of the Treasury
5 over Chinese immigration, and over the fur-seal, salmon, and
6 other fisheries in Alaska, be, and the same hereby is, trans-
7 ferred to and vested in the department of commerce.

8 SEC. 8. That the secretary of commerce shall annually,
9 at the close of each fiscal year, make a report in writing to
10 Congress, giving an account of all moneys received and dis-
11 bursed by him and his department, and describing the work
12 done by the department in fostering, promoting, and develop-
13 ing the foreign and domestic commerce, the mining, manu-
14 facturing, shipping, and fishery industries, and the transpor-
15 tation facilities of the United States, and making such rec-
16 ommendations as he shall deem necessary for the effective
17 performance of the duties and purposes of the department.
18 He shall also, from time to time, make such special investi-
19 gations and reports as he may be required to do by the Presi-
20 dent, or by either House of Congress, or which he, himself,
21 may deem necessary and urgent.

22 SEC. 9. That the secretary of commerce shall have
23 charge, in the buildings or premises occupied by or appro-
24 priated to the department of commerce, of the library, fur-
25 niture, fixtures, records, and other property pertaining to it,

1 or hereafter acquired for use in its business; and he shall be
2 allowed to expend for periodicals and the purposes of the
3 library, and for the rental of appropriate quarters for the
4 accommodation of the department of commerce within the
5 District of Columbia, and for all other incidental expenses,
6 such sums as Congress may provide from time to time: *Pro-*
7 *vided, however,* That where any office, bureau, or branch of
8 the public service transferred to the department of commerce
9 by this Act is occupying rented buildings or premises, it may
10 still continue to do so until other suitable quarters are
11 provided for its use: *And provided further,* That all officers,
12 clerks, and employees now employed in any of the bureaus,
13 offices, departments, or branches of the public service in this
14 Act transferred to the department of commerce are each and
15 all hereby transferred to said department at their present
16 grades and salaries, except where otherwise provided in this
17 Act, and they shall continue in office and employment as if
18 appointed under this Act until otherwise provided by law:
19 *And provided further,* That all laws prescribing the work and
20 defining the duties of the several bureaus, offices, departments,
21 or branches of the public service by this Act transferred to
22 and made a part of the department of commerce shall, so far
23 as the same are not in conflict with the provisions of this
24 Act, remain in full force and effect until otherwise provided
25 by law.

1 *SEC. 10. That all power and authority heretofore pos-*
2 *essed or exercised by the head of any Executive Department*
3 *over any bureau, office, branch, or division of the public serv-*
4 *ice, by this Act transferred to the department of commerce,*
5 *or any business arising therefrom or pertaining thereto,*
6 *whether of an appellate or revisory character, or otherwise,*
7 *shall hereafter be vested in and exercised by the head of the*
8 *said department of commerce. And all Acts or parts of*
9 *Acts inconsistent with this Act are, so far as so inconsistent,*
10 *hereby repealed.*

11 *SEC. 11. This Act shall take effect and be in force*
12 *from and after its passage.*

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